

**APPROVED**  
**Minnetonka Beach Planning Commission Meeting Minutes**  
**May 21, 2018**

**1. Call to Order**

Chair Haag called the meeting to order at 7:01 pm.

**2. Roll Call**

**Present:** Chair Haag, Commissioners Anderson, Halverson, Moriarty, Enlow, Howarth, and Council Liaison Lindstrom for Bartel. **Absent:** Breazeale

**Staff in attendance:** City Administrator Griffin, City Planner Ben Gozola

**3. Approve Agenda**

**(Anderson Motion, Halverson second to approve the agenda; all ayes).** Motion passed.

**4. Approve Minutes: April 23, 2018**

Commissioner Anderson mentioned that the minutes from April 23<sup>rd</sup> say that state statute regulates stop signs, but it was corrected that city's do have the authority to regulate where signs go, but there are federal traffic sign standards. Anderson also asked the chair to provide an update on a recent memo that Planner Gozola sent to the City Council regarding his opinion about a matter. Chair Haag said he would provide an update. Haag also thanked those involved for recruiting two new planning commissioners.

**(Moriarty motion, Anderson second to approve the minutes of the regular Planning Commission meeting of April 23, 2018; all ayes).** Motion passed.

**5. Oath of Office**

City Administrator Griffin administered the oath of office for new Commissioners Enlow and Howarth.

**6. Old Business**

**6.1. Sign Ordinance – Proposed Final Draft**

City Planner Ben Gozola reviewed the proposed changes to the sign ordinance after being reviewed by Ron Batty, the city attorney.

He specifically talked about regulating advertising signs which was brought up at a previous meeting. Contractors can only place advertising signs on private property with the approval of the property owner. Advertising signs cannot be placed on any county or city road. He reminded commissioners that due to recent court decisions, the city cannot regulate the message of the sign.

He reviewed conditionally permitted sign regulations. Provisions around election related signs was updated to reflect statutory language. He pointed out an expansion of prohibited signs suggested by the city attorney. Any current signs would be allowed as non-conforming uses (i.e. church). There was discussion about portable signs for temporary events which would be covered under banners which are allowed in conjunction with an activity and are a specific size and duration.

Flags are not restricted as this would get into regulating the message. All of these provisions apply to private property and not public property or right of ways. He also mentioned that the fee schedule would be amended to include a sign permit fee.

Commissioner Halverson asked about the city's announcement sign and whether that would still be allowed. Portable signs would be prohibited under the draft ordinance, but commissioners talked about exceptions for city events. Gozola thought that Table 4-1 would cover city signs. Commissioner Enlow

asked about adding a provision that says these provisions apply unless specifically provided for elsewhere in the ordinance. On page 5 of 14, (E)-Prohibited Signs, Gozola will move #2 up under the heading that states “the following signs are prohibited” so it will state there that all off-premise signs are prohibited unless specifically provided for in this ordinance.

Commissioner Enlow asked about page 6 of 14, item (F) General Provisions – (2) (a) – referencing the 1997 edition of the Uniform Sign Code. Gozola stated that this language is in other ordinances. He said it has to do with sign construction standards. Enlow suggested that this be removed. He will remove it.

Commissioners discussed next steps, and opted to see the revised Sign Ordinance at the next meeting before making a final recommendation to the city council.

**Enlow motion, Moriarty second to recommend approval of Ordinance No 118 as amended by the Planning Commission on May 21, 2018, and after final review by the Commission at the June 25<sup>th</sup> Planning Commission meeting.**

Chair Haag discussed the comments that were in the April 23<sup>rd</sup> minutes regarding Zoning Administrator Gozola providing a memo to the City Council regarding the Planning Commission To Do list. Gozola explained that he was asked by the City (Administrator/Mayor) to provide his comments to the City Council at the April 9<sup>th</sup> meeting on the Zoning Code To Do list that was discussed at the March Planning Commission meeting. He understood that the issue was regarding the Specialized Lakeshore setbacks. Commissioner Anderson stated that she would have appreciated knowing that he was going to send the memo to Council as his thoughts were different from what the Planning Commission had recommended to Council. In the future if Gozola is asked to provide his professional opinion to the City Council on a topic, particularly if his opinion differs from the Planning Commission, a copy of the information should be sent to Planning Commission members.

## **6.2 2016 Transportation Study – Establish Work Program**

Chair Haag asked Commissioner Halverson asked for an update on the Median Refuge/Delineators. Halverson stated that the delineators have been installed and the subcommittee met to discuss a plan for communication on the delineators. They will be meeting again in July to review any input received to that point. Hennepin County will be collecting data (speed, video, etc.) as well and this information will also be reviewed by the Subcommittee.

Chair Haag asked if there was any input yet on the delineators. Griffin stated she hasn't received any input yet, but later stated she did get a positive email from Jodi Schwendimann. Liaison Lindstrom stated that Council discussed this at their last meeting and requested that all input be forwarded to Bob Byers from Hennepin County and that information regarding the delineators be disseminated through email blasts and the Beachcomber. There will be email blasts, Beachcomber article and possibly the yellow city sign asking for input on the delineators over the next three months. Anecdotally commissioners didn't feel the delineators have reduced speeds yet.

Chair Haag stated that the City Council has asked about how the Planning Commission intends to use the funds that were allotted for the Transportation study (\$20,000), so it was suggested that the Planning Commission come up with a “work plan” for the 2018 budgeted funds. Haag stated that they haven't used the \$20,000 allotted as yet, but he believes that the funds will be used as a result of the ensuing studies such as for speed bumps, signage, access trails, etc.

Commissioner Halverson stated that the speed bump issue has been an ongoing issue with Civic Committee members. Chair Haag discussed the outcome of the discussion around the Planning Commission recommended speed bump study at the last council meeting. Council approved the Sambatek speed bump proposal. Halverson will follow up with Sambatek and members wanted to keep the process moving so discussed authorizing the Chair and Halverson to keep the process moving and send the final recommendations to the City Council once complete.

**Anderson motion, Howarth second to authorize Chair Haag and Commissioner Halverson to work with Sambatek on speed bump proposal and make recommendation to Council at the June 11<sup>th</sup> Council meeting based on the outcome of the study; all in favor. Motion passed.**

Commissioners discussed the speed study that the Police department conducted and while the study didn't indicate significant issues, there is a perception of speeding along the stretch of Lafayette Road that is being studied for speed bumps.

Commissioners discussed how the speed bumps would be funded and all agreed that the study and the cost of the speed bumps themselves would be paid for out of the allotted 2018 CIP Transportation Study funds unless there were grants available. Other expenses might result from signage issues.

Commissioners then discussed parking issues in Minnetonka Beach, particularly along Lafayette Road near the swimming beach past the current "permit parking only" area. For the benefit of the new Commissioners, Administrator Griffin explained the transportation study that was done in 2016 which involved months of data collection from city residents via surveys and input sessions. In the packet was a compilation of the input received from residents, and the Planning Commission recommendations that came out of the study and were presented to the City Council.

Commissioners discussed expenses related to the crossing (now referred to as a raised median refuge area), that would include access paths along Arcola and Shoreline Drive, which would be about \$50,000 for the first phase of the median trail access, and \$50,000 for the second phase of access paths.

Resident Mathews asked why the city didn't go with Stantec as proposed in original report to Council. It was explained that Stantec was asked but referred the city to Spack Consulting who did provide an initial proposal, but Council asked Planning to get more bids. The Planning Commission later refined the scope and requested proposals from WSB and Sambatek. Sambatek came in lowest at \$1500 for the speed bump study. Resident Mathews asked if there was a sunset on the study or how long the commission intends to work on the study. Commissioners stated that these things take time and they were now making progress.

Commissioners discussed and agreed that the \$20,000 allotted in the 2018 budget should be adequate for the speed bumps, signage and parking.

### **6.3 2019 – 2023 Capital Improvement Program**

Commissioners then discussed what they should include in the CIP for 2019 and beyond. Moriarty suggested \$50,000 for 2019 and \$50,000 for 2020 so that the access trails can be installed. They discussed grant funds and Halverson stated that the City has applied for about \$22,000 (or about half of what will likely be needed) for the first phase of the access trails. Commissioner Anderson stated she thinks that is a lot of money and isn't sure the community will support it, but that it will be the City Council's decision. Commissioner Howarth stated she doesn't think the general public understands the financial impact of the median related to the access trails. Including the costs in the CIP will serve to inform the public.

Commissioners discussed why the access paths were necessary and showed new members the map showing the two phases of the paths to the raised median.

Commissioners talked about increasing the amount in the current CIP for 2019 from \$20,000 to \$44,000 with grants and tax levy as means of paying, and to note in the request that a grant of \$22,000 is currently applied for and pending which would pay for half of the first access path. Commissioner Halverson explained other grant opportunities such as federal grants, but they are more difficult. The city could apply again in 2019 for phase 2 or the second part of the access paths to be constructed in 2020 and ask for \$50,000 in 2020 with hopefully the city being able to fund the project, at least partially, with grants.

Commissioners discussed how the CIP process works and how to ensure that a clear message is communicated along with requests. Moriarty stated that if the commission is supporting the median he recommends that they should support asking for the funding for the access paths and including it in the CIP clearly states what the access paths to the median will cost.

Commissioners discussed how to word the request regarding the grant funds. It was noted that the grant status should be known by June 2018. They discussed clarifying the title of this section, Transportation

Study by adding to the description: Phase 1 raised median access pathways construction and Phase 2 engineering

**Enlow motion, Moriarty second to increase the CIP amount under Transportation Study for 2019 from \$20,000 to \$45,000 for Transportation Study – Median Access Path Construction (with notation that \$22,000 grant pending), funded by tax levy/grant, and add a new line item under Transportation Study for \$5,000 in 2019 for engineering of Phase 2 paths; and for 2020, Transportation Study (median access paths) add \$50,000 for Phase 2 construction of the access paths, paid for by tax levy/grants; all in favor. Motion passed.**

The Planning Commissioners will hold the public hearing on the Capital Improvement Program at the June 25<sup>th</sup> meeting. After the public hearing is held the Planning Commission will discuss and offer input on the plan. Commissioners would like to get the packet info on this topic earlier than the Friday before. Administrator Griffin will provide the CIP related packet items to commissioners earlier in the week prior to the Planning Commission meeting.

## **7. New Business - None**

## **8. Reports**

- 8.1. Chairperson – Chair Haag asked for a volunteer to review the Orono comp plan – Commissioners Enlow, Moriarty, and Anderson will review it between now and September 1<sup>st</sup>. If they have feedback they will bring it back to Planning and then Planning will make a recommendation to Council for their October meeting to meet the Orono deadline of October 29<sup>th</sup>. Griffin will provide printed copies of the Orono Comp Plan to Anderson and Enlow.
- 8.2. Commissioner Reports- No Reports
- 8.3. Council Liaison Lindstrom – reviewed May 14 council meeting which included approval of the speed bumps study proposal, Long Lake fire contract (saved \$\$), approved referendum for bonding for watermain projects and approved referendum language for August 14<sup>th</sup> special election authorizing a maximum amount of \$2.5M for construction in 2019 of watermains, street reconstruction, storm sewer projects. Northview wall that is falling down: city working with HCRRA on repairs as the wall is on their property, approved resolution declaring nuisance ordinance violations at 2328 Lafayette Road - authorizes administrative citations and criminal prosecution.
- 8.4. Building Permit Report – received

## **9. ADJOURNMENT**

**(Anderson motion, Enlow second to adjourn; all ayes).** Motion passed.

Meeting adjourned at 8:58 p.m.

**PUBLIC IN ATTENDANCE** – The following individuals signed the sign-in sheet: Nell Mathews

Minutes respectfully submitted by City Administrator Susanne Griffin.

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Susanne Griffin, City Administrator